

CHECKLIST COVER SHEET

UNIT INSPECTED: _____ DATE: _____
LEGAL OFFICER: _____ CLERK: _____
INSPECTOR: _____ TELEPHONE# _____
FAX# _____

INBRIEF GIVEN TO _____

STRONG POINTS/AREAS: _____

WEAK POINTS/AREAS: _____

HAVE DISCREPANCIES FROM LAST INSPECTION BEEN CORRECTED?

OUTBRIEF GIVEN TO _____ DATE _____

UNIT INSPECTED: _____

DATE: _____

INSPECTION CHECKLIST

A. MANUALS AND PUBLICATIONS

YES NO

1. Are the following manuals publications with all the changes available?

MANUAL FOR COURTS-MARTIAL 2000 _____

MARCORSEPMAN (MCO P1900.16)May 01 _____

JAG MANUAL (JAGINST P5800.7)Oct 90 w/ch3 _____

LEGADMINMAN (MCO 5800.16)Aug 99 _____

MARINE CORPS MANUAL (1980) _____

IRAM (MCO P1070.12)Jul 2000 _____

SECNAVINST 5815.3 DON Clemency and Parole System _____

JER (DOD DIR 5500.7R OF 30 AUG 93) _____

SECNAVINST 1050.1 Leave Awaiting Review of Punitive or Administrative Separation _____

SECNAVINST 5212.5 Navy/MC Records Disposition Manual _____

RECORDS MANAGEMENT PROGRAMS FOR THE MARINE CORPS
MCO 5210.11 _____

PRIVACY ACT OF 1974 (MCO P5211.2) _____

SECNAVINST 1640.9 DON Corrections Manual _____

BASE BRIG ORDER (if applicable) _____

ENLISTED PROMOTION MANUAL (MCO P1400.32) _____

B. PERSONNEL

YES NO

1. Has the unit assigned a legal officer in writing? _____

2. Has the unit assigned a claims investigating officer in writing? _____

3. Has the unit legal officer attended the Legal Officers' Course, Naval Justice School? _____

4. Have prisoner escort personnel undergone prisoner escort training? _____

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DATE: _____

C. FILES

YES NO

- | | | |
|---|-----|-----|
| 1. Are legal files established and maintained in accordance with SECNAVINST 5212.5 and MCO 5210.11D | ___ | ___ |
| 2. Does the unit have complete file copies of each JAG Manual Investigation processed during the past two years? (SECNAVINST 5212.5) | ___ | ___ |
| 3. Does the unit have a complete file copy of each administrative discharge processed during the past two years? (SECNAVINST 5212.5) | ___ | ___ |
| 4. Is each legal file folder labeled with a standard subject identification codes, and open/close data? (SECNAVINST 5212.5) | ___ | ___ |
| 5. Are legal files retired/disposed of in accordance with SECNAVINST 5212.5? | ___ | ___ |
| 6. Does each legal file folder have disposal instruction on the outside of the folder? (SECNAVINST 5212.5) | ___ | ___ |
| 7. Is a disclosure form attached to each JAG Manual investigation file folder? (MCO 5211.2, par 7a(2)) | ___ | ___ |
| 8. Does all JAG Manual Investigations comply with time limitations for completing, reviewing and forwarding? (JAGINST P5800.7, pars 0209(f) and 0210(f)) | ___ | ___ |
| 9. Does JAG Manual Investigations that do not comply with time limitations have an explanation of the delay in an endorsement or in the IO's preliminary statement? (JAGINST P5800.7, pars 0209(f) and 0210(f)) | ___ | ___ |

D. COURTS MARTIAL/NJP

YES NO

- | | | |
|--|-----|-----|
| 1. Does the unit exercise court-martial jurisdiction (yes/no)? If yes, circle the level of jurisdiction: SPCM/SCM. | ___ | ___ |
| 2. Does the unit have complete summary and special courts-martial case files for each case tried within the past two years? (SECNAVINST 5212.5) | ___ | ___ |
| 3. Is a UPB (NAVMC 10132) being utilized in each instance where NJP is imposed on Marine enlisted personnel with a separate file for each calendar year? (MCO P5800.16 par 3006.1 and 3006.10) | ___ | ___ |

UNIT INSPECTED: _____

DATE: _____

YES NO

4. Is a summarization of the NJP proceedings prepared on a sheet of bond paper and attached to the UPB form? (MCO P5800.16, par 3006.6) ___ ___
5. Are UPBs maintained alphabetically for two full years in a loose leaf binder with disposal instructions on the binder? (MCO P5800.16, par 3006.10) ___ ___
6. Are original letters of appeal, and allied papers/endorsements, filed with the UPB files of the unit which conducted the NJP? (MCO 5800.16, par 3006.10) ___ ___
7. Are all NJPs run on Unit Diary with the exception of nonpunitive measures prescribed in Part V, par 1g, MCM. ___ ___
8. Are entries recorded on the UPB consistent with entries recorded on the unit diary? (MCO 5800.16, par 3006.5(s)) ___ ___
9. Are punishments imposed in compliance with maximum punishments authorized by Article 15, UCMJ, and Part V, par. 5, MCM and JAGINST 5800.7, par 0111 ___ ___
10. Are appeals requesting stays of punishment involving restriction/extra duties acted on within 5 days? If not, are punishments automatically stayed? (Part V, par 7(d), MCM) ___ ___
11. The following questions apply to each UPB for the past two calendar years. (MCO P5800.16, par 3006.5). Does/is:
 - a. Item 1 correctly reflect last name, first name and middle initial? ___ ___
 - b. Item 2 correctly reflect grade and pay grade? ___ ___
 - c. Item 3 correctly reflect SSN? ___ ___
 - d. Item 4 correctly reflect complete unit? ___ ___
 - e. Item 5 includes article(s) of the UCMJ violated and a brief summary of each offense alleged with date, time, and place of the alleged offense(s)? ___ ___

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DATE: _____

YES NO

- | | | |
|--|-----|-----|
| f. Item 6 complete as to date and signature with inapplicable portions lined out? | ___ | ___ |
| g. Item 7 complete as to date and signature? | ___ | ___ |
| h. Item 8 complete and accurate concerning punishment(s) adjudged? | ___ | ___ |
| i. Item 9 complete and accurate concerning suspension of all or part of punishment awarded or is the word "None" recorded? | ___ | ___ |
| j. Item 10 complete concerning name, grade and title of the officer who took final action? | ___ | ___ |
| k. Item 11 signed by the officer imposing punishment? | ___ | ___ |
| l. Item 12 properly reflect notification date? | ___ | ___ |
| m. Item 13 signed by the officer imposing punishment? | ___ | ___ |
| n. Item 14 signed and dated by the person whom punishment has been imposed? | ___ | ___ |
| o. Item 15 complete or is the words "Not Appealed" recorded? | ___ | ___ |
| p. Item 16 complete or left blank? | ___ | ___ |
| q. Item 17 complete or left blank? | ___ | ___ |
| r. Item 18 complete or left blank? | ___ | ___ |
| s. Item 19 complete as to initials of the officer responsible for required administrative action? | ___ | ___ |

E. SERVICE RECORD BOOK

YES NO

- | | | |
|---|-----|-----|
| 1. When applicable, are duplicate original court-martial orders filed on the document side of the SRB? | ___ | ___ |
| 2. When required does SRB page 11 reflect Article 137, UCMJ, entries are signed and dated? | ___ | ___ |
| 3. Does SRB page 11 entries intended as counseling entries per MCO P1900.16, par 6105, contain all required information to permit separation processing? (MCO P1900.16, par 6105) | ___ | ___ |

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DATE: _____

YES NO

4. Does any SRB page 12 entries reflect incorrect information on unauthorized absences, nonjudicial punishments, Good Conduct Medal periods, NJP vacation proceeding, removal of mark of desertion and Booker advice? (MCO P1070.12, par 4007) ___ ___
5. Are SRB page 12 entries signed by the commanding officer, or "By direction" of signed by an officer other than the commanding officer? (MCO P1070.12, par 4007.2(b)) ___ ___
6. If page 12 entries are signed "By direction," does the individual have authority to do so in writing? (MCO P1070.12, par 2005.4 and pst 4007.2(b)) ___ ___
7. When nonjudicial punishment has been imposed, is the SRB page 12 entry correct and complete with respect to the following: (MCO P1070.12 par 4007.2b)
 - a. Date and organization? ___ ___
 - b. Article violated and brief synopsis of offense(s)? ___ ___
 - c. Punishment awarded? ___ ___
 - d. Date CO's punishment imposed? ___ ___
 - e. Billet and grade of officer who imposed punishment? ___ ___
 - f. Unit RUC, unit diary number and date recorded? ___ ___
 - g. If all or part of the punishment was suspended, is the period of suspension with remission provisions recorded? ___ ___
 - h. If reduction in grade was imposed as punishment and not suspended, is the effective date of the reduction recorded? ___ ___
 - i. Does the entry reflect "Not Appealed" or "Appealed"? ___ ___
 - j. Is there an entry made on decisions of appeal, if applicable? ___ ___
 - k. If applicable, is there a separate page 12 entry reflecting vacation of previously suspended sentence. ___ ___

UNIT INSPECTED: _____

DATE: _____

YES NO

- | | | |
|--|-----|-----|
| 8. Are page 12 entries consistent with the entries reflected on the UPB? | ___ | ___ |
| 9. Are the dates of page 12 the same as or after the effective date of the punishment imposed? | ___ | ___ |
| 10. Does the SRB page 12 reflect compliance with U.S. v. Booker, 5 M.J. (CMA 1977)(Rights prior to imposition of NJP)(MCO 1070.12, par 4007.2b(2)) | ___ | ___ |
| 11. Do SRBs requiring page 13 and/or 13A contain them? (MCO P1070.12, par 4008) | ___ | ___ |
| 12. Are SRB page 13 entries prepared after trial, complete and accurate with respect to the following: (MCO P1070.12, par 4008) | ___ | ___ |
| a. Prepared in duplicate (both copies signed with original in SRB)? | ___ | ___ |
| b. Item 1 correctly reflects organization and unit of the accused? | ___ | ___ |
| c. Item 2 correctly reflects type and date of court? | ___ | ___ |
| d. Item 3 correctly reflects the offense(s)? | ___ | ___ |
| e. Item 3 correctly reflects date and place of commission of each offense? | ___ | ___ |
| f. Item 4 reflects correct findings for each offense? | ___ | ___ |
| g. Item 4a entry made concerning counsel representation? | ___ | ___ |
| h. Item 5 reflects correct sentence adjudged? | ___ | ___ |
| i. Item 6 reflects correct date of convening authority's action? | ___ | ___ |
| j. Item 6 reflects correct action taken by convening authority? | ___ | ___ |
| k. Item 7 reflects date and unit diary number regarding notification of disbursing officer pay status? | ___ | ___ |
| l. Authentication of page 13 reflects "By direction" when the page is signed by an officer other than the commanding officer? | ___ | ___ |

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DATE: _____

YES NO

- m. Signatures are recorded where required? _____
- n. Page numbers correct? _____
- o. Name and SSN of accused correct? _____
- p. Does the reverse side of the page 13, reflect compliance with U.S. v. Booker, 5 M.J. (CMA 1977) rights prior to imposition of punishment? (MCO 1070.12, par 4008, par 4008.4(b)) _____

F. RESTRAINT/CONFINEMENT

YES NO

1. Does the unit understand the criteria for pretrial confinement? (Article 10, & R.C.M. 304 & 305, UCMJ) _____
2. Has the command forwarded preferred charges and the investigation on confined Marines awaiting court-martial to the CG (SJA) within eight days of confinement or provided an explanation for the delay? (UCMJ, Art 33) _____
3. Has the command submitted prisoner progress reports? (SECNAVINST 5815.3 and MCO P5800.16, par 8011.2g(2)) _____
4. Does the unit have a command visitation program as outlined in SECNAVINST 1640.9B, par 7208. _____

G. STANDARDS OF CONDUCT

YES NO

1. Is a code of ethics for government service poster displayed in an appropriate area of the command to ensure to largest viewing of it? (JER DoD 5500.7R of 30 Aug 93) _____
2. Are adequate controls and procedures established to ensure personnel required to file OGE Form 450 do so on time and are subsequently reviewed. (JER DoD 5500.7R of 30 Aug 93) _____
3. Is a written reminder to file OGE Form 450 provided by 30 September each year to personnel in the unit required to file? (JER DoD 5500.7R of 30 Aug 93) _____
4. Does all position descriptions of personnel required to file an OGE Form 450 contain statements that the incumbent is required to file OGE Form 450? (JER DoD 5500.7R of 30 Aug 93) _____

UNIT INSPECTED: _____

DATE: _____

YES NO

5. Are all unit OGE Form 450s properly reviewed by the appropriate supervisor and ethics counselor?
(JER DoD 5500.7R of 30 Aug 93)

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H. GENERAL

1. Does the unit maintain a disciplinary status monitoring system, e.g., log of pending/working cases, status board, etc., pertaining to courts-martial, administrative discharges, JAG Manual Investigations, NJP appeals, claims, legal holds, and other pending disciplinary proceedings?

2. Are unit personnel informed that they are permitted to observe Article 15, UCMJ, hearings and courts-martial proceedings?

3. Are final results of all NJP's being published at formations, or through the plan of the day? (JAGINST 5800.7 Sec 0115)

4. What system is in effect for placing an accused and witness on legal hold for a court-martial?

5. What procedures are implemented to ensure a member is processed for appellate leave, if applicable? Describe briefly. (SECNAVINST 1050.1A)

I. MANGEMENT_CONTROL_REVIEW

1. Are turnover binders implemented to ensure continuity in the positions of legal officer and legal clerk? _____

2. Does the turnover binder include at a minimum the following:

- a. Procedures and discussion outlines available for:

YES_NO

- I. NJP Processing?

— —

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DATE: _____

YES NO

II. Courts-martial Processing? _____

III. Administrative Discharge Processing? _____

IV. JAG Manual Investigation Processing? _____

V. Appellate Leave Processing? _____

VI. Claim Processing? _____

3. During the past 12 months the total number of:

	Permanent Personnel	Non-Permanent Personnel
a. NJPs	_____	_____
b. SCMs	_____	_____
c. SPCMs	_____	_____
d. GCMs	_____	_____

J. ABSENTEES AND DESERTERS

YES NO

1. Have personnel who have been absent for a period in excess of 30 days been declared a deserter and dropped from the unit's rolls? (MCO P5800.16, par 5002) _____

2. Have entries been made in the chronological record of the absentee's SRB? (MCO P5800.16, par 5002.2C and MCO P1070.12, par 4007.2b(3), Table 4-2) _____

3. Are copies of DD Form 553 maintained at the unit? (SECNAVINST 5212.5) _____

4. Are DD Forms 553 being distributed properly? (MCO P5800.16, par 5002.2d) _____

5. Is a copy of DD Form 553 placed on the documents side of the absentee's SRB? (MCO P5800.16, par 5002.2d(6)) _____

6. Are SRB, Health records and Dental Records for Deserters forwarded to CMC (POS 40) on the 91st day of absence? (MCO P5800.16, par 5002.2(d)(8) and MCO 1070.12, par 4001) _____

7. Are SRBs requested from CMC (POS 40) on returnees from UA/Desertion? (MCO P5800.16 par 5009.7a(2)) _____

8. Is a DD Form 616 prepared for returnees from UA/Desertion? (MCO P5800.16, par 5009.5d(1), 5009.5i, 5009.6e, and 5009.7a(4)) _____

9. Has the command reported the UAs of those personnel who have failed to report to a duty station or intermediate station for transportation by the hour/date specified on official orders? (MCO P5800.16, par 5001.1 and 2) _____

10. Are straggler orders properly being distributed to include the pay adjustment authorization (DD Form 139 MCO P5800.16, par 5011.2c) _____

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DATE: _____

YES NO

11. Has the command requested by message, that the local unit assume cognizance for personnel confined as a result of civil sentencing, in hands of civil authorities (IHCA), who have not received the request for or waiver of rights and a copy of the physical examination within 14 days of such judgement? (MCO P5800.16, par 5014.3a)

___ ___